

S. Little  
10-27-99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

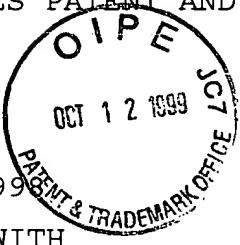
Applicant : Carlyle et al.

Serial No.: 09/014,087

Filed : January 27, 1999

For : BIOPROTHESIS WITH  
ASSOCIATED GROWTH FACTORS

Docket No.: S16.12-0062



#8/EPS  
Group Art Unit: 3738

Examiner: P. Prebilic

**INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

I HEREBY CERTIFY THAT THIS PAPER IS  
BEING SENT BY U.S. MAIL, FIRST  
CLASS, TO THE ASSISTANT  
COMMISSIONER FOR PATENTS,  
WASHINGTON, D.C. 20231, THIS

07 DAY OF October . 1999.  
Peter S. Dade  
PATENT ATTORNEY

Sir:

The patents or publications listed on the enclosed PTO Form-1449 are submitted pursuant to 37 CFR § 1.97. Copies of the patents or publications cited are enclosed.

Submitted herewith is a copy (with English translation as appropriate) of an Official Search Report of the European Patent Office Patent Office in counterpart foreign application No.

PCT/US 99/01319 filed January 21, 1999.

**TIME OF FILING**

- The information disclosure statement is being filed:
1.        with the application or within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. In accordance with 37 CFR § 1.97(b), no certification or fee is required.
  2. X after the time period specified in paragraph 1 above, but before the mailing date of a final action under 37 CFR § 1.113 or notice of allowance under 37 CFR § 1.311.

Therefore, in accordance with 37 CFR § 1.97(c), submitted herewith is:

(check either A or B below)

- A.  a certification as specified in 37 CFR § 1.97(e).
  - B.  the fee set forth in 37 CFR § 1.17(p) for submission of an information disclosure statement under 37 CFR § 1.97(c).
3.  after the mailing date of either a final action under 37 CFR § 1.113 or a notice of allowance under 37 CFR § 1.311, whichever occurs first, but before payment of the issue fee. Therefore, Applicant submits herewith:
- A. a certification as specified in 37 CFR § 1.97(e);
  - B. the petition fee set forth in 37 CFR § 1.17(i); and
  - C. the accompanying petition under 37 CFR § 1.97(d).

#### **CERTIFICATION**

(only used if No. 2(A) or No. 3 above is checked)

The person(s) signing below certify

(check appropriate paragraph)

- that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 CFR § 1.97(e)(1).

OR

- that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this statement. 37 CFR § 1.97(e)(2).

**METHOD OF PAYMENT**

X No fee is required.

Attached is a check in the amount of \$\_\_\_\_.

The Commissioner is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123. A duplicate copy of this communication is enclosed.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

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PSD:nw